

SECTION L – INSTRUCTIONS, CONDITIONS, AND NOTICES TO OFFERORS

The following information is specific to this solicitation and is provided to supplement and/or complete the associated ITEMS presented at the SECTION L website at <http://rcb.cancer.gov/rcb-internet/wkf/sectionl.pdf>.

I. General Information

Alternate I, of FAR Clause 52.215-1, INSTRUCTIONS TO OFFERORS-COMPETITIVE ACQUISITION, is applicable to this solicitation.

JUST IN TIME PROCEDURES are applicable to this solicitation.

The submission of an acceptable subcontracting plan ☒ is, ☐ is not required.

If a subcontracting plan is required:

- ☒ It will be requested from only those offerors in the competitive range.
- ☐ It will be requested from only the apparent successful offeror.
- ☐ It WILL NOT be submitted in accordance with the JUST IN TIME procedures, therefore, a subcontracting plan will be requested from all offerors at the time of original submission in accordance with Alternate II, of FAR Clause 52.219-9, SMALL BUSINESS SUBCONTRACTING PLAN which is incorporated by reference.

NAICS CODE AND SIZE STANDARD:

Note: The following information is to be used by the offeror in preparing its Representations and Certifications (See Section K of this RFP), specifically in completing the provision entitled, SMALL BUSINESS PROGRAM REPRESENTATION, FAR Clause 52.219-1.

- (1) The NAICS Code is 541710.
- (2) The small business size standard is 500 employees.

TYPE OF CONTRACT AND NUMBER OF AWARDS

It is anticipated that one award will be made for this solicitation and that the award will be made on or about August 1, 2004.

It is anticipated that the award from this solicitation will be a multiple-year Cost-Reimbursement type completion contract with a period of performance of 6.5 years, and that incremental funding will be used. [See Section L, PART IV-Business Proposal Instructions.]

ESTIMATE OF EFFORT

It is expected that a completion type contract will be awarded as a result of this RFP. To assist you in the preparation of your proposal, the Government considers the effort to be, approximately, as follows:

Labor Category	Phase I (6 Mos)	Phase II (5 years)	Phase II (1 year)
Principal Investigator*	50%	20% year 1; 50% yrs 2-5	50%
Co-PI-Biostatistician*	25%	25% / year	25%
Co-PI-Cardiologist*	20%	20%/ year	20%
Other Staff	330%	810%/ year	95%

* NHLBI considers the following position to be listed in the contract as Key Personnel.

This information is furnished for the offeror's information only and is not to be considered restrictive for proposal purposes.

COMPARATIVE IMPORTANCE OF PROPOSALS

You are advised that paramount consideration shall be given to the evaluation of technical proposals. All evaluation factors other than cost or price, when combined, are significantly more important than cost or price. The relative importance of the evaluation factors is specified in SECTION M of this solicitation. However, the Government reserves the right to make an award to the best advantage of the Government, cost and other factors considered.

LATE PROPOSALS AND REVISIONS, HHSAR 352.215-70 is applicable to this solicitation.

II. General Instructions

Potential Award Without Discussions is applicable to this solicitation.

Sharing Research Data is applicable to this solicitation

Specific Copyright Provisions Applicable to Software Development and/or Enhancements is applicable to this solicitation and the following information is provided to assist in proposal preparation:

Under the provisions of the Rights in Data General clause (52.227-14), offerors will be requirement to seek permission to establish a copyright for software and associated data generated under a contract. As a general rule, permission is normally granted provided, a paid-up, world-wide, irrevocable, nonexclusive license to the government is provided. This is to advise offerors that for this project, the government intends to assert additional copyright permissions under this contract.

The scope of the Government's interest in the copyright will be determined during negotiations.

Extent of Small Disadvantaged Business Participation is applicable to this solicitation.

Salary Rate Limitation in Fiscal Year 2003 is applicable to this solicitation.

Past Performance Information is applicable to this solicitation and the following information is provided to supplement this item to assist in proposal preparation:

Past Performance information shall be submitted as part of the Business proposal.

A list of the last five contracts completed during the past three years and all contracts currently in process that are similar in nature to the solicitation workscope.

Alternate I of FAR Clause 52.225-10, Notice of Buy American Act/Balance of Payments Program Requirement-Construction Materials, is applicable to this solicitation.

Solicitation Provisions Incorporated by Reference: The following provisions are applicable to this solicitation.

Submission of Offers in the English Language, FAR Clause 52.214-34, (April 1991).

Submission of Offers in U.S. Currency, FAR Clause 52.214-35, (April 1991).

Facilities Capital Cost of Money, FAR Clause 52.215-16, (October 1997).

Order of Precedence-Uniform Contract Format, FAR Clause 52.215-8, (October 1997).

Preaward On-Site Equal Opportunity Compliance Evaluation, (Over \$10,000,000), FAR Clause 52.222-24, (February 1999).

III. Technical Proposal Instructions

Project Objectives, NIH-1688-1, is applicable to this solicitation.

Information Technology Systems Security, is applicable to this solicitation and the following information is provided to supplement this item to assist in proposal preparation.

(a) **Sensitivity and Security Level Designations.**

The Statement of Work (SOW) requires the successful offeror to develop or access a Federal Automated Information System (AIS). Based upon the security guidelines contained in the *Department of Health and Human Services (DHHS) Automated Information Systems Security Program (AISSP) Handbook*, the Government has determined that the following apply:

(1) Category of Safeguarded Information

The safeguarded agency information that the successful offeror will develop or access is categorized as:

- ☐ Non Sensitive Information
- ☒ Sensitive Information
- ☐ Classified Information:
- ☐ Confidential ☐ Secret ☐ Top Secret ☐ Special Access

(2) Security Level Designations

The information that the successful offeror will develop or access is designated as follows:

- Level 3** applies to the sensitivity of the data.
- Level 3** applies to the operational criticality of the data.

The overall Security Level designation for this requirement is **Level 3**.

(3) Position Sensitivity Designations

Prior to award, the Government will determine the position sensitivity designation for each contractor employee that the successful offeror proposes to work under the contract. For proposal preparation purposes, the following designations apply:

- ☐ **Level 6C: Sensitive - High Risk (Requires Suitability Determination with a BI).**
Contractor employees assigned to a Level 6C position are subject to a Background Investigation (BI).
- ☒ **Level 5C: Sensitive - Moderate Risk (Requires Suitability Determination with NACIC).**
Contractor employees assigned to a Level 5C position with no previous investigation and approval shall undergo a National Agency Check and Inquiry Investigation plus a Credit Check (NACIC), or possibly a Limited Background Investigation (LBI).
- ☐ **Level 4C: Classified (Requires Special Access Clearance with an SSBI).**
Contractor employees assigned to a Level 4C position are subject to a Single Scope Background Investigation (SSBI).
- ☐ **Level 3C: Classified (Requires Top Secret Clearance with an SSBI).**
Contractor employees assigned to a Level 3C position are subject to a Single Scope Background Investigation (SSBI).
- ☐ **Level 2C: Classified (Requires Confidential or Secret Clearance with an LBI).**
Contractor employees assigned to a Level 2C position shall undergo a Limited Background Investigation (LBI).
- ☐ **Level 1C: Non Sensitive (Requires Suitability Determination with an NACI).**
Contractor employees assigned to a Level 1C position are subject to a National Agency Check and Inquiry Investigation (NACI).

Contractor employees who have met investigative requirements within the past five years may only require an updated or upgraded investigation.

(b) **Information Technology (IT) System Security Program**

The offeror's proposal must:

- (1) Include a detailed outline (commensurate with the size and complexity of the requirements of the SOW) of its present and proposed IT systems security program;
- (2) Demonstrate that it complies with the AISSP security requirements, the Computer Security Act of 1987; Office of Management and Budget (OMB) Circular A-130, Appendix III, "Security of Federal Automated Information Systems;" and the DHHS AISSP Handbook.

At a minimum, the offeror's proposed information technology systems security program must address the minimum requirements of a **Security Level 3** identified in the DHHS AISSP Handbook, [Exhibit III-A, Matrix of Minimum Security Safeguards](#).

- (3) Include an acknowledgment of its understanding of the security requirements.
- (4) Provide similar information for any proposed subcontractor developing or accessing an AIS.

(c) **Required Training for IT Systems Security**

DHHS policy requires that contractors receive security training commensurate with their responsibilities for performing work under the terms and conditions of their contractual agreements.

The successful offeror will be responsible for assuring that each contractor employee has completed the following NIH Computer Security Awareness Training course prior to performing any contract work: <http://irtsectraining.nih.gov/>. The contractor will be required to maintain a listing of all individuals who have completed this training and submit this listing to the Government.

Additional security training requirements commensurate with the position may be required as defined in OMB Circular A-130 or NIST Special Publication 800-16, "Information Technology Security Training Requirements." These documents provide information about IT security training that may be useful to potential offerors..

(d) **Prospective Offeror Non-Disclosure Agreement**

The Government has determined that prospective offerors will require access to sensitive information described below in order to prepare an offer.

Any individual having access to this information must possess a valid and current suitability determination at the following level:

- ☐ **Level 6C: Sensitive - High Risk**
- ☒ **Level 5C: Sensitive - Moderate Risk**

To be considered for access to this sensitive information, a prospective offeror must:

- (1) Submit a written request to the Contracting Officer identified in the solicitation;
- (2) Complete and submit the "Prospective Offeror Non-Disclosure Agreement" provided as an attachment in Section J of this solicitation; and
- (3) Receive written approval from the Contracting Officer.

Prospective offerors are required to process their requests for access, receive Government approval, and then access the sensitive information within the period of time provided in the solicitation for the preparation of offers.

Nothing in this provision shall be construed, in any manner, by a prospective offeror as an extension to the stated date, time, and location in the solicitation for the submission of offers.

(e) **References**

The following documents are electronically accessible:

- (1) OMB Circular A-130, Appendix III: <http://csrc.ncsl.nist.gov/secplcy/a130app3.txt>

- (2) DHHS AISSP Handbook: <http://irm.cit.nih.gov/policy/aissp.html>
- (3) DHHS Personnel Security/Suitability Handbook: <http://www.hhs.gov/ohr/manual/pssh.pdf>
- (4) NIH Applications/Systems Security Template: <http://cit.nih.gov/security/secplantemp.html>
- (5) NIST Special Publication 800-16, "Information Technology Security Training Requirements:"
<http://csrc.nist.gov/publications/nistpubs/800-16/800-16.pdf>
- (6) NIH CIT-Policies, Guidelines and Regulations:
 - Table 1 - Categories of Safeguarded Agency Information:
<http://irm.cit.nih.gov/security/table1.htm>
 - Table 2 - Security Level Designations for Agency Information:
<http://irm.cit.nih.gov/security/table2.htm>
 - Table 3 - Positions Sensitivity Designations for Individuals Accessing Agency Information:
<http://irm.cit.nih.gov/security/table3.htm>

No additional or supplemental Technical Proposal Instructions are applicable to this solicitation. See III. TECHNICAL PROPOSAL INSTRUCTION of SECTION L at <http://rcb.cancer.gov/rcb-internet/wkf/sectionl.pdf> for Technical Proposal Instructions.

IV. Business Proposal Instructions

Proposal Cover Sheet is applicable to this solicitation.

Requirements for Cost or Pricing Data or Information Other than Cost and Pricing Data, FAR Clause 52.215-20, is applicable to this solicitation.

Incremental Funding is applicable to this solicitation.